

LOUISIANA SEED COMMISSION MEETING PROCEEDINGS
December 14, 2011
9:00 a.m.

Louisiana Department of Agriculture & Forestry Building
LDAF Veterans Memorial Auditorium
5825 Florida Boulevard
Baton Rouge, LA 70806

CALL TO ORDER

The meeting was called to order at 9:05 a.m. by Mr. Fred Bass, Confidential Assistant to Commissioner Mike Strain.

ROLL CALL

The roll was called by Mrs. Tina Ficklin.

The following members or their Designees were present: Mr. Fred Bass, Designee for Commissioner Mike Strain; Dr. Johnny Saichuk, Designee for Dr. Paul Coreil, representing the Louisiana Cooperative Extension Service; Dr. John Russin representing the Louisiana Agricultural Experiment Station; Mr. Kyle McCann, Designee for Mr. Ronnie Anderson, representing the Louisiana Farm Bureau Association. The Louisiana Ag Industries Association was not represented at the meeting.

Others Present: Todd Parker, Assistant Commissioner of AES; Kevin Wofford, LDAF Seed Programs; Lester Cannon, LDAF Seed Programs; Tina Ficklin, LDAF Seed Programs; Ashley Dupree, LDAF Legal Counsel. Mr. Mike Vallan, Assistant Attorney General.

A quorum was declared.

APPROVAL OF THE MINUTES

Motion: Mr. Kyle McCann made a motion to approve the minutes from the August 31, 2011 Louisiana Seed Commission Meeting as written. Dr. Johnny Saichuk seconded the motion. Motion was approved unanimously.

NO PUBLIC COMMENT

Motion: Mr. Kyle McCann made a motion to amend the agenda to address the adjudicatory hearing case before Old Business. Dr. Johnny Saichuk seconded the motion. Motion passed. Motion was approved unanimously.

ADJUDICATORY HEARING

Case 11-03; The Home Depot #380, USA

The Louisiana Seed Commission heard the case of LDAF vs. The Home Depot #380. The case was initiated by several violations of Stop Orders that had been placed by LDAF inspectors on out-of-test-date seed that was being offered for sale. Staff legal counsel, Ashley Dupree, presented evidence labeled Exhibit S-1 as the charge letter dated October 31, 2011 against The Home Depot #380, along with the signed returned receipt and Exhibit S-2 as the signed and notarized stipulation letter whereby The Home Depot #380 was presented with the terms of the violation, admits to the violations as charged and agrees to all terms stated in the stipulation letter.

Mike Vallan, an assistant Attorney General presiding as the hearing officer assigned to this case, accepted both Exhibit S-1 and S-2 as evidence presented.

Motion to accept the stipulation letter as the findings, facts and conclusion of law was made by Mr. Kyle McCann and seconded by Dr. John Russin. All members in favor. No opposition.

The Louisiana Department of Agriculture & Forestry recommended a violation penalty of Three Thousand Dollars (\$3,000.00) to be paid within 30 days. The Seed Commission accepted the department's recommendation and offered no modifications.

Motion to accept the department's recommended penalty of Three Thousand Dollars (\$3,000) and the terms of the stipulation letter was made by Dr. John Russin and seconded by Dr. Johnny Saichuk. All in favor. No opposition.

OLD BUSINESS

Vegetative Propagated Plant Species Seed Certification Standards Status Update

Certification standards for Clonally Propagated Plant Species were adopted August 31, 2011, but the Seed Commission Members agreed to delay the effective date of the standards until July 1, 2012, allowing additional input from the industry.

An open forum meeting was held at LDAF on October 31, 2011 to allow such input. Parties of all industry groups were present. As a result of the meeting, an ad-hoc committee was formed consisting of members from LDAF, LSU, NRCS and 4 members of the industry.

It was agreed that the committee would attempt to develop a workable set of standards agreeable to all parties and present those findings to the Seed Commission at a later date.

NEW BUSINESS

Seed Certification Field Inspection Fees Changes

A 25% inspection fee increase is proposed, except in the case of Sugarcane, a higher percentage increase was requested due to the time involved during the inspection process and the number of times each field must be inspected.

Motion to authorize a Notice-of-Intent to accept the proposed field inspection fee changes was made by Dr. John Russin. Seconded by Mr. Kyle McCann. Motion passed without opposition.

“Inspection Fees on Agricultural Seed” Wording Revision

The Staff informed the Commission that “vegetable” seed was not included in the Seed Inspection Fees, although vegetable seed is currently being regulated in the state. The staff proposed to the Commission to include “vegetable” seed into the “Inspection Fees on Agricultural Seed” section of the regulations, thus allowing the Department to collect inspection fees on vegetable seeds.

Motion to authorize a Notice-of-Intent to change the wording of §115. Inspection Fees on Agricultural Seed to include “and vegetable” seed was made by Dr. Johnny Saichuk. Seconded by Dr. John Russin. No opposition. Motion passed.

NO PUBLIC COMMENT

ADJOURNMENT

Motion to adjourn was made by Dr. Johnny Saichuk, seconded by Dr. John Russin. Motion was approved unanimously.